

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 3 and 8 are allowed. Claims 2 and 7 are cancelled. Claims 1, 4-6, and 9-12 remain pending in this application and, as amended herein, are submitted for Examiner's reconsideration.

In the Office Action, claims 1-2, 4, 6-7, 9, and 11-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yanagisawa (U.S. Patent Application Publication No. 2002/0126431). Claims 2 and 7 are cancelled. Applicants submit that the remaining claims are patentably distinguishable over the relied-on sections of Yanagisawa.

For example, amended claim 1 calls for:

communication means for communicating at predetermined intervals with a server for a predefined duration, the server being connected to said equipment body over a network[.] (Emphasis added.)

The relied-on sections of Yanagisawa describe a computer system in which a CPU that is interconnected with other hardware components within the computer system through busses and a CPU bridge. (See ¶¶ [0037] and [0038].) The relied-on sections of Yanagisawa do not disclose or suggest communicating with a server and do not disclose or suggest communicating over a network.

Amended claim 1 also recites:

in which control of said cooling fan is performed by said temperature control means and said time control means such that said time control means stops operation of said cooling fan during the predefined duration and causes said cooling fan to operate in a low state after the predefined duration has elapsed, and said temperature control means causes said cooling fan to operate in a high state whenever the detected temperature value is greater than or equal to a predefined value regardless of whether the predefined duration has elapsed. (Emphasis added.)

The relied-on sections of Yanagisawa do not disclose or suggest operating a cooling fan in a low state or in a high state, do not disclose or suggest causing a cooling fan to operate in a low state after a predefined duration has elapsed, and do not disclose or suggest causing a cooling fan to operate in a high state whenever a detected temperature value is greater than or equal to a predefined value.

Rather, the relied-on sections of Yanagisawa describe a cooling fan that is either on or off. Namely, the cooling fan is on when a detected temperature value is greater than a predetermined value and/or the PCI clock is on, and the cooling fan is off when a detected temperature value is less than a predetermined value and the PCI clock is off. (See Table 2 and ¶ [0087].)

It follows that, for at least these reasons, the relied-on sections of Yanagisawa do not disclose or suggest the combination called for in claim 1 and therefore do not anticipate the claim.

Independent claims 6, 11, and 12 each include features similar to those set out in the above excerpts of claim 1. Therefore, each of these claims is patentably distinguishable over the relied-on sections of Yanagisawa for at least the same reasons.

Claim 4 depends from claim 1, and claim 9 depends from claim 6. Therefore, each of these claims is distinguishable over the relied-on sections of the reference for at least the same reasons as the claim from which it depends.

Claims 5 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yanagisawa in view of Frankel (U.S. Patent Application Publication No. 2003/0234625). Applicants submit that the claims are patentably distinguishable over the relied-on sections of references.

Claims 5 and 10 each include features similar to those set out in the above excerpts of claim 1. Therefore, each of these claims is distinguishable over the relied-on sections of Yanagisawa for at least the same reasons.

The relied on sections of Frankel do not remedy the deficiencies of the relied-on sections of Yanagisawa.

It follows, for at least the above reasons, that neither the relied-on sections of Yanagisawa nor the relied-on sections of Frankel, whether taken alone or in combination, disclose or suggest the apparatus set out in claim 5 or the method set out in claim 10, and therefore claims 5 and 10 are each patentably distinct and unobvious over the cited references.

Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a).

Applicants express appreciation for the allowance of claims 3 and 8.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

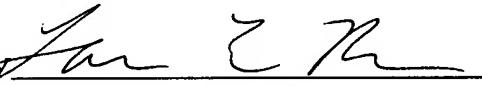
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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